

Message

From: Calli, Rosemary [Calli.Rosemary@epa.gov]
Sent: 12/18/2020 5:35:51 PM
To: Hicks, Matt [Hicks.Matthew@epa.gov]; Armor, Suzanne [Armor.Suzanne@epa.gov]; Pugh, Katherine [Pugh.Katherine@epa.gov]; Gettle, Jeaneanne [Gettle.Jeaneanne@epa.gov]; McGill, Thomas [McGill.Thomas@epa.gov]; Ghosh, Mita [Ghosh.Mita@epa.gov]; Creswell, Michael [Creswell.Michael@epa.gov]
Subject: RE: email from Timothy Parsons (Florida SHPO)

Quick point of clarification –the ***general*** permits will go into effect on 12/22, so FDEP can indeed authorize activities under those, but they will still have to conduct their review of proposed ***individual*** permits, so there won't be immediate issuance of any big IPs – **Ex. 5 Deliberative Process (DP)**

From: Hicks, Matt <Hicks.Matthew@epa.gov>
Sent: Friday, December 18, 2020 12:04 PM
To: Armor, Suzanne <Armor.Suzanne@epa.gov>; Pugh, Katherine <Pugh.Katherine@epa.gov>; Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>; McGill, Thomas <McGill.Thomas@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Creswell, Michael <Creswell.Michael@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>
Subject: RE: email from Timothy Parsons (Florida SHPO)

Ex. 5 AC/DP

From: Armor, Suzanne <Armor.Suzanne@epa.gov>
Sent: Friday, December 18, 2020 11:16 AM
To: Pugh, Katherine <Pugh.Katherine@epa.gov>; Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>; McGill, Thomas <McGill.Thomas@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Hicks, Matt <Hicks.Matthew@epa.gov>; Creswell, Michael <Creswell.Michael@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>
Subject: RE: email from Timothy Parsons (Florida SHPO)

ATTORNEY-CLIENT COMMUNICATION
DO NOT RELEASE UNDER FOIA OR IN DISCOVERY

Ex. 5 AC/DP

Ex. 5 AC/DP

Best,
Suzanne



SUZANNE K. ARMOR
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National Indian Law Workgroup Co-Chair
United States Environmental Protection Agency
Office of Regional Counsel
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She/Her/Hers

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From: Pugh, Katherine <Pugh.Katherine@epa.gov>
Sent: Friday, December 18, 2020 10:02 AM
To: Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>; McGill, Thomas <McGill.Thomas@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Hicks, Matt <Hicks.Matthew@epa.gov>; Creswell, Michael <Creswell.Michael@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>; Armor, Suzanne <Armor.Suzanne@epa.gov>
Subject: RE: email from Timothy Parsons (Florida SHPO)

I will leave it up to y'all how you handle it, but as I mentioned yesterday, Poarch is closed next week, so I know they will

Ex. 5 Deliberative Process (DP)

From: Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>
Sent: Friday, December 18, 2020 8:43 AM
To: McGill, Thomas <McGill.Thomas@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Hicks, Matt <Hicks.Matthew@epa.gov>; Creswell, Michael <Creswell.Michael@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>; Armor, Suzanne <Armor.Suzanne@epa.gov>; Pugh, Katherine <Pugh.Katherine@epa.gov>
Subject: RE: email from Timothy Parsons (Florida SHPO)

Tom,

I suggest

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

jmg

From: McGill, Thomas <McGill.Thomas@epa.gov>

Sent: Friday, December 18, 2020 8:36 AM

To: Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Hicks, Matt <Hicks.Matthew@epa.gov>; Creswell, Michael <Creswell.Michael@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>; Armor, Suzanne <Armor.Suzanne@epa.gov>; Pugh, Katherine <Pugh.Katherine@epa.gov>

Subject: email from Timothy Parsons (Florida SHPO)

Please see the email below from Timothy Parsons, the Florida SHPO. I'm inclined to send a short message back to him per the draft below, and please respond if you have comment or suggestions. So far, at least some representatives from the ACHP, FDEP, and the Seminole Tribe have indicated availability in the doodle poll. We'll see what other responses we see, and I will follow-up by COB with a meeting invitation and am also inclined to send an email to request that any party that is not available to let us know if they would like to try to arrange for an additional meeting with their office prior to the week of Jan 4. Please let me know what you think. Thanks, Tom

***** draft email responding to Timothy Parsons *****

Ex. 5 Deliberative Process (DP)

From: Parsons, Timothy A. <Timothy.Parsons@dos.myflorida.com>

Sent: Friday, December 18, 2020 5:59 AM

To: McGill, Thomas <McGill.Thomas@epa.gov>

Subject: Re: meeting on Dec 21 or 22 (pursuant to NHPA Section 106 Programmatic Agreement)

Hi Tom,

This is just a friendly suggestion based on over a decade of experience in Section 106 consultation, so take it or leave it.

One of the major issues presented by the tribes in the last contentious phone call was the issue of time and the need to discuss the PA and comments with tribal leaders/councils. Since EPA pushed through the PA without giving the tribes that opportunity and released comments to the tribes less than 48 hours ago, I don't think you'll find that this time frame will be considered inadequate to meet those tribal needs. Particularly the week of Christmas, when many people in both state and tribal governments are on leave/vacation. I worked for the National Park Service for years, so honestly I'm kind of surprised that EPA (or any federal agency) would schedule such a "big" consultation meeting for next week.

Incidentally, this is exactly why I thought a 60 or 90 day time frame would have been more appropriate (I don't know if that was ACHP's reasoning, but it was mine).

Obviously I cannot and do not speak for tribes. It is just a piece of advice that is intended to be helpful. Part of my duty as SHPO is to advise and assist federal agencies, so please take this message in the spirit it is intended. Perhaps it will not be a problem. But I would seriously consider rescheduling this after the first of the year.

Best,
Tim

Timothy Parsons, Ph.D.

Director, Division of Historical Resources | State Historic Preservation Officer | Florida Department of State | 500 South Bronough Street | Tallahassee, Florida 32399 | Office: 850.245.6306 | Mobile:

Ex. 6 Personal Privacy (PP) www.flheritage.com

From: McGill, Thomas <McGill.Thomas@epa.gov>

Sent: Thursday, December 17, 2020 5:53 PM

To: Jaime Loichinger <jloichinger@achp.gov>; Javier Marques <jmarques@achp.gov>; Christopher Wilson <cwilson@achp.gov>; Parsons, Timothy A. <Timothy.Parsons@dos.myflorida.com>; Aldridge, Jason H. <Jason.Aldridge@dos.myflorida.com>; Mason, Heather <Heather.Mason@FloridaDEP.gov>; Gray, Stephanie A <Stephanie.A.Gray@FloridaDEP.gov>; THPO@pci-nsn.gov <THPO@pci-nsn.gov>; kweatherford@pci-nsn.gov <kweatherford@pci-nsn.gov>; lhaikey@pci-nsn.gov <lhaikey@pci-nsn.gov>; chead@pci-nsn.gov <thead@pci-nsn.gov>; GeneD@miccosukeetribel.com <GeneD@miccosukeetribel.com>; beverlyt@miccosukeetribel.com <beverlyt@miccosukeetribel.com>; kevind@miccosukeetribel.com <kevind@miccosukeetribel.com>; JeanineB@miccosukeetribel.com <JeanineB@miccosukeetribel.com>; Amy Castaneda <AmyC@miccosukeetribel.com>; lyannem@miccosukeetribel.com <lyannem@miccosukeetribel.com>; CraigV@miccosukeetribel.com <CraigV@miccosukeetribel.com>; paulbackhouse@semtribel.com <paulbackhouse@semtribel.com>; kevincunniff@semtribel.com <kevincunniff@semtribel.com>; Stacy Myers <StacyMyers@semtribel.com>; Anne Mullins <AnneMullins@semtribel.com>; Whitney Sapienza <WhitneySapienza@semtribel.com>; Juan Cancel <JuanCancel@semtribel.com>; Bradley Mueller <bradleymueller@semtribel.com>; KarliEckel@semtribel.com <KarliEckel@semtribel.com>; mdiffenderfer@llw-law.com <mdiffenderfer@llw-law.com>; rsantana@llw-law.com <rsantana@llw-law.com>; section106@mcn-nsn.gov <section106@mcn-nsn.gov>; RaeLynn Butler <raebutler@mcn-nsn.gov>; lwendt@mcn-nsn.gov <lwendt@mcn-nsn.gov>; rosoweka@mcn-nsn.gov <rosoweka@mcn-nsn.gov>; ithompson@choctawnation.com <ithompson@choctawnation.com>; Lindsey Bilyeu <lbilyeu@choctawnation.com>; Madison D. Currie <mcurrie@choctawnation.com>; Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>; Laycock, Kelly <Laycock.Kelly@epa.gov>; Hicks, Matt <Hicks.Matthew@epa.gov>; Creswell, Michael <Creswell.Michael@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Pugh, Katherine <Pugh.Katherine@epa.gov>; Zimmerman, Eve <Zimmerman.Eve@epa.gov>; Armor, Suzanne <Armor.Suzanne@epa.gov>; Hurlid, Kathy <Hurlid.Kathy@epa.gov>; Beck, Whitney <beck.whitney@epa.gov>; Kramer, Jessica L. <kramer.jessical@epa.gov>; Gano Perez <GPerez@mcn-nsn.gov>; Turner Hunt <thunt@mcn-nsn.gov>; Wood, Jeffrey <jeff.wood@BakerBotts.com>; Palmer, Leif <Palmer.Leif@epa.gov>; Rubini, Suzanne <Rubini.Suzanne@epa.gov>; Sharma, Ravi <Ravi.Sharma@FloridaDEP.gov>; Lotane, Alissa Slade <Alissa.Lotane@dos.myflorida.com>; John Truitt <john.truitt@dep.state.fl.us>; Kad Henderson <kadhenderson@semtribel.com>; Misty Madbull <mmadbull@choctawnation.com>

Subject: meeting on Dec 21 or 22 (pursuant to NHPA Section 106 Programmatic Agreement)

EMAIL RECEIVED FROM EXTERNAL SOURCE

Good afternoon,

Pursuant to section VIII.b. of the Programmatic Agreement (PA) executed as a result of the NHPA Section 106 consultation for the State of Florida's request to assume a Clean Water Act Section 404 Permitting Program, the EPA proposes to host a meeting with the Florida SHPO, FDEP, the ACHP and the Consulting Tribes on either Monday or

Tuesday next week. The purpose of this meeting will be to begin discussions as contemplated in the PA. The following link (https://doodle.com/poll/g8itf77u2im9s6qt?utm_source=poll&utm_medium=link) provides a doodle poll for our proposed options for meeting times.

- Monday, Dec 21, 1:30-2:30pm EST
- Monday, Dec 21, 2:30-3:30pm EST
- Tuesday, Dec 22, 1:30-2:30pm EST
- Tuesday, Dec 22, 2:30-3:30pm EST

Please respond to the doodle poll by 5:00pm EST tomorrow (Friday, Dec 18), and I will send an invitation for the time/date that works best for everyone. We also plan to host a meeting during the week of January 4.

Thank you.

Tom

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Thomas McGill, Chief
Ocean, Wetlands & Streams Protection Branch
U.S. EPA Region 4, Water Division
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Atlanta, GA 30303
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